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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/125,102	04/19/1999	AKIRA TAKANO	450104-4266	7426

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NEW YORK, NY 10151

EXAMINER

FLETCHER, JAMES A

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 11/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/125,102

Applicant(s)

TAKANO, AKIRA

Examiner

James A. Fletcher

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 4 September 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 25-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Boetje et al (6,038,368).

Regarding claims 25, 28, and 31, Boetje et al describe a method, apparatus, and tape with attached memory (Col 4, lines 23-24 “a memory device which is disposed within the cassette”) comprising:

- generation of index information corresponding to a point on the tape medium where a designated portion of the video data is recorded (Col 4, line 19 “automatic track numbers (ATN) indices”); the index information for use as an index when editing the video data (Col 6, lines 7-10 “queries can be made by an editor...to the database stored on the tape requesting video playback of only those plays which fit certain criteria determined by the database”);
- generation of additional index information corresponding to the index information for specifying an attribute of the designated portion of the video data (Col 5, lines 22-25 “the capability to generate index marks...each time a camera operator marks a ‘take’ during a recording”);

- selection of a video frame from the designated portion of the video data on the basis of the index information and the additional index information (Col 3, lines 57-61 "The video frames are recorded on the tape from a first predetermined time, which marks the beginning of a video shot, to a second predetermined time which represents the end of that video shot" and Col 4, lines 40-44 "the camcorder...notes the location on tape where the segment starts and records a corresponding 'address' or track number...of that location into the memory");
- generation of an index picture information from the selected video frame for displaying the selected video frame corresponding to the index information when editing the video data (Col 3, lines 57-61 "The video frames are recorded on the tape from a first predetermined time, which marks the beginning of a video shot, to a second predetermined time which represents the end of that video shot" and Col 4, lines 40-44 "the camcorder...notes the location on tape where the segment starts and records a corresponding 'address' or track number...of that location into the memory");
- recording the index information in the attached memory of the digital cassette (Col 4, lines 40-44 "the camcorder...notes the location on tape where the segment starts and records a corresponding 'address' or track number...of that location into the memory");
- recording the additional index information video data in at least one of the attached memory or a sub-code section of the tape medium (Col 4, lines 5-10

"Tape 102 further includes a second region 106. Region 106 stores computer-readable information associated with segments 108. This computer-readable information stored is typically textual information, in digital format, organized and stored in a database"); and

- recording the index picture information on the tape medium (Col 4, lines 51-55 "The second region of the tape stores...a database portion...Each database portion includes a field storing the respective ATN [automatic track number] index").

Regarding claims 26, 29, and 32, Boetje et al describe a method, apparatus, and tape with attached memory wherein the point corresponding to the index information is a mark-in point, mark-out point, or cue point in the video data (Col 4, lines 40-44 "the camcorder...notes the location on tape where the segment starts and records a corresponding 'address' or track number...of that location into the memory").

Regarding claims 27, 30, and 33, Boetje et al describe a method, apparatus, and tape with attached memory wherein the attribute is a take number, a scene number, or a good/no good indicator for the designated portion of the video data (Col 4, lines 9-11 "the textual information includes statistical data associated with the video segments" and Col 4, lines 12-16 "the statistical data included in the region 106 includes information accumulated during a sports event such as a football game. Such information can relate to incidence of fouls, field goals, passes received, passes intercepted, kick-off returns, yardage, touch-downs, etc." As noted in the reference, this

data can be used to determine segments used in editing, and therefore meets the limitations of a good/no good indicator.).

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

4. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Fletcher whose telephone number is (703) 305-3464. The examiner can normally be reached on 7:45AM - 5:45PM M-Th, Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached at (703) 308-9644.

Any response to this action should be mailed to:

Art Unit: 2615

Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

JAF
November 18, 2002



**ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**